

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DEBORAH MCQUEEN,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 3:15-cv-05893 JRC

ORDER ON UNOPPOSED MOTION
FOR EQUAL ACCESS TO JUSTICE
ACT FEES AND EXPENSES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 8; Consent to Proceed Before a United States Magistrate Judge, Dkt. 9).

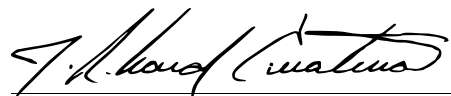
This matter is before the Court on plaintiff's unopposed Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (*see* Dkt. 30; *see also* Dkt. 31).

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the unopposed motion (*see* Dkt. 30), the attorney affirmation in support of motion (*see* Dkt. 31) the time and expense itemizations (*see* Dkt. 31, Attachments 1, 2, 3, 4), the memorandum in support of

1 motion (*see* Dkt. 31, Attachment 6) and the relevant record, it is hereby ORDERED that EAJA
2 attorney's fees of \$6,629.66 and expenses in the amount of \$20.13, shall be awarded to plaintiff
3 pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S.
4 LEXIS 4763 at ***6-***7 (2010).

5 The Acting Commissioner shall contact the Department of Treasury after the Order for
6 EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to any
7 offset. If it is determined that plaintiff's EAJA fees and expenses are not subject to any offset
8 allowed pursuant to the Department of the Treasury's Offset Program, then the check for EAJA
9 fees and expenses shall be made payable to Paul B. Eaglin, Esq., based on plaintiff's assignment
10 of these amounts to plaintiff's attorney (*see* Affirmation and Waiver of Direct Payment of Fees,
11 Dkt. 31, Attachment 5). If there is an offset, the remainder shall be made payable to plaintiff,
12 based on the practice of the Department of the Treasury (*see, e.g.,* Case No. 2:15-cv-122, Dkt.
13 22, p. 4). Any check for EAJA fees and expenses shall be mailed to plaintiff's counsel, Paul B.
14 Eaglin, Esq., at Olinsky Law Group, 300 South State Street, Suite 420, Syracuse, NY 13202.

15 Dated this 13th day of October, 2016.

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18 J. Richard Creatura
19 United States Magistrate Judge
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